



Quantity Surveyors Registration Council

CODE OF ETHICS & PROFESSIONAL CONDUCT STANDARDS for QUANTITY SURVEYORS

This Code should be read in conjunction with the Quantity Surveyors' Registration Act, 2013 including the Registration Regulations and where there is a conflict the Act will take precedence over the Code.

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1. DEFINITIONS

For the purposes of this code, the following definitions shall apply:-

- a) **Professional Conduct** – shall mean the adherence to a standard behaviour of excellence befitting a professional Quantity Surveyor at all times while engaged in a professional capacity.
- b) **Professional Misconduct** - shall mean behaviour which in the opinion of the Quantity Surveyors' Registration Council (QSRC) falls short of or directly contravenes professional conduct standards.
- c) **Registered Quantity Surveyor** - shall mean a person registered in accordance with the Act offering quantity surveying services either solely or in combination with other professional services.
- d) **Client** - shall mean an individual who or an organisation which enters into an agreement with a Registered Quantity Surveyor, partnership, firm or company for the provision of professional services on a specific project or projects.
- e) **Employer** - shall mean an individual who or a partnership, firm or company which engages a Registered or Candidate Quantity Surveyor as a salaried employee.
- f) **Registrar** - shall mean the person appointed by the Quantity Surveyors' Registration Council in accordance with the Act.
- g) **The Act** – means the Quantity Surveyors' Registration Act 2013 including any Regulations, Notice or Order issued or made in terms of the Act.
- h) **Quantity Surveyor** – means a “Registered or Candidate Quantity Surveyor” registered in accordance with the Act.

2. INTRODUCTION

2.1 This Code for Quantity Surveyors reflects the ethos and culture of the profession and the spirit of the law governing it. It identifies the key principles and values that should guide day to day practice and emphasises the core values that are to be honoured.

- 2.2 The Code sets out the minimum standard of professional conduct and practice to be expected of Quantity Surveyors in the provision of services. It requires of them not only to recognize their responsibilities to their Clients but also their responsibilities to the public and fellow professionals.
- 2.3 Adherence to the Code demonstrates an ongoing commitment to ethical business practices as well as professional integrity, honesty and the provision of efficient and effective services.
- 2.4 Quantity Surveyors shall subscribe to this Code and demonstrate a commitment to ensuring that public confidence in the profession is maintained at a high level.
- 2.5 This Code is binding on all Quantity Surveyors and contrary conduct is liable to reprimand, suspension or striking off the QSRC Register.
- 2.6 Any transgression by a partnership or firm shall be deemed a transgression by the individual Quantity Surveyor/s being Partner/s or Director/s.
- 2.7 It is the responsibility of every Quantity Surveyor to report to the Registrar any apparent breach of this Code for investigation in accordance with the Act and Registration Regulations.

3 GUIDING PRINCIPLES

3.1 Statutory Duty

- 3.1.1 A Quantity Surveyor is obliged to be aware of their legal obligations, and to ensure that they and their employees comply fully with these obligations and all future relevant legislation.

3.2 The Public Interest

- 3.2.1 A Quantity Surveyor should recognise and accept that they have a responsibility to the public and should at all times, in the conduct of their professional business, act in a manner which affirms this.
- 3.2.2 They should endeavour, in the conduct of their business, to ensure that public confidence in the integrity, probity and honesty of the profession is maintained by adhering to the highest standards of ethical behaviour.

3.3 Ethical Conduct

- 3.3.1 A Quantity Surveyor should, in the conduct of their business, uphold at all times the standards set out in this Code and should conduct themselves in accordance with the standards of conduct expected of Quantity Surveyors in their practice.
- 3.3.2 They should, in their day to day practices, adhere to an ethical standard of business practice and behave with independence, integrity, and fairness towards the public, their Clients and fellow professionals.

3.4 Professional Conduct

- 3.4.1 A Quantity Surveyor should, in the conduct of their business, act in a manner consistent with the good reputation of the profession and refrain from any conduct which might discredit it.
- 3.4.2 For the avoidance of doubt, the latter conduct does not include:-
- i) normal competitive commercial activity, or
 - ii) advertising not prohibited elsewhere in this Code.
- 3.4.3 A Quantity Surveyor shall not take over the work of another Quantity Surveyor without first verifying that the contract with the existing Quantity Surveyor has been terminated.
- 3.4.4 Where a Client transfers work from one Quantity Surveyor to another, without a case of failure to perform or unprofessional conduct, the second Quantity Surveyor shall inform the Client that he/she may be liable for fees to both.
- 3.4.5 A Quantity Surveyor should, at all times, act objectively, with honesty and free of any conflict of interest and not allow their actions or advice to be unduly influenced by others.
- 3.4.6 A Quantity Surveyor shall inform their Clients or Employer if an assignment requires qualifications and or experience outside their field of competence or would otherwise compromise their obligations in terms of this Code of Ethics & Professional Conduct.

- 3.4.7 A Quantity Surveyor shall, when providing professional services or executing their mandate as employees, always apply known standards or professional best practice as published in Botswana or elsewhere. A Quantity Surveyor who opt not to apply standards or best practice to any professional task should do so only for good reason, and be able to explain such action.
- 3.4.8 A Registered Quantity Surveyor shall not issue any document in respect of Quantity Surveying work performed by himself or by some person in his/her employment unless it bears his stamp and signature.
- 3.4.9 A Quantity Surveyor shall not sign as a Quantity Surveyor or otherwise identify as having been issued by him/her any Bills of Quantities or other documents of which s/he or his/her firm or an employee of the company of which s/he is a member, is not the bona fide author.
- 3.4.10 A Quantity Surveyor shall not undertake or offer to undertake a project for remuneration exceeding the approved published tariff fees.
- 3.4.11 A Quantity Surveyor shall not obtain or attempt to obtain Quantity Surveying work by means of offering or paying a monetary or other valuable consideration or inducement.
- 3.4.12 A Quantity Surveyor shall not, knowingly compete for professional work with a fellow Quantity Surveyor with whom any negotiations are taking place in respect of such work, after the initial bidding process.
- 3.4.13 A Quantity Surveyor shall not, in his/her capacity as a Quantity Surveyor in private practice, enter into or dissolve any form of professional partnership or association, nor shall s/he become a member or cease to be a member of any company without notifying the Council.
- 3.4.14 A Quantity Surveyor shall notify the Council without delay of any change of address or employment.
- 3.4.15 A Quantity Surveyor shall ensure that s/he is able to provide adequate professional, financial and technical resources when entering into a contract and throughout its duration, and acknowledges the right of the Council to carry-out an inspection, at any time, to verify the adequacy of such resources.

- 3.4.16 A Quantity Surveyor shall not accept a commission to review another Quantity Surveyor's work without informing the other Quantity Surveyor. Such review of work shall be limited to whether or not the Work of the Quantity Surveyor is professionally executed and not to any subjective opinion.
- 3.4.17 A Quantity Surveyor shall not offer any gift or other consideration in order to secure any work.
- 3.4.18 An employee Quantity Surveyor shall not offer professional services that are not declared to his/her employer.
- 3.4.19 A Quantity Surveyor must not make professional decisions based on personal consideration including but not limited to any cabal activity such as, favouritism, nepotism, bribery or sexual favours.

3.5 Conflict of Interest

- 3.5.1 A Quantity Surveyor has a conflict of interest, financial or otherwise where s/he is in a position of trust which requires the exercise of judgment on behalf of a person for whom s/he is acting and also has either private or business interests or obligations of a sort that might interfere with the exercise of her/his judgment.
- 3.5.2 Where a Quantity Surveyor identifies the existence of, or the potential for, a conflict of interest s/he should, as soon as practicable, but before carrying out such work, inform the person for whom s/he is acting, in writing, of the circumstances and unless such person(s) consent(s) or request/s in writing to his/her continuing to act, s/he must cease to act in provision of that service.
- 3.5.3 Where a Quantity Surveyor is offered any form of inducement by a third party or potential third party s/he shall immediately inform his Client and Employer.

3.6 Confidentiality

- 3.6.1 A duty of confidentiality exists in respect of information gathered in the course of business.

3.6.2 Confidential information may only be used or disclosed in accordance with statutory requirements. The duty of confidentiality shall remain even after the relationship has been terminated.

3.7 Professional Development

3.7.1 A Quantity Surveyor has an on-going duty to maintain professional knowledge and skill at a level which ensures that they deliver an efficient and effective service to the highest standard in accordance with the QSRC Regulations.

3.7.2 A Quantity Surveyor shall be aware of the content of any new Acts and amendments to existing Acts affecting the Quantity Surveying work and guidelines or requirements issued by the Council, from time to time, on Continuous Professional Development or conditions of engagement.

3.8 Insurance

3.8.1 A Registered Quantity Surveyor working as a Consultant shall arrange, or have the Employer or Client arrange adequate insurance cover in respect of professional indemnity, together with statutory insurances.

3.8.2 A Quantity Surveyor shall provide evidence that the requirements for insurance have been met as expected of them in such form, manner and to the extent the Council may from time to time require.

3.9 Record of services

3.9.1 Records of service provided shall be retained for a period of at least seven years and be made available for inspection by the Council when so requested.

3.9.2 A Quantity Surveyor shall not wilfully destroy or fail, without a satisfactory reason, to produce original dimension and any other documentary evidence necessary for the verification of his work until seven years after completion of the contract and settlement of all accounts.

3.10 Advertising

- 3.10.1 A Quantity Surveyor should not publish or cause to be published any material or advertisements that are false, misleading or dishonest. Any advertising material must take notice of advertising codes as well as consumer legislation.

4 RELATIONSHIP WITH CLIENTS

4.1 Provision of Service

A Quantity Surveyor should take reasonable steps to ensure that:-

- 4.1.1 They compete fairly with other registered Quantity Surveyors, Partnerships and Firms by promoting the principle of selection of Quantity Surveyors by Clients upon the basis of merit, and not on the basis of fees alone;
- 4.1.2 They always provide fee proposal together with a submission outlining technical skills, experience, resources etc.;
- 4.1.3 They only engage in the provision of services for which they are qualified, and not claim to have expertise or experience, which they do not have;
- 4.1.4 They provide professional services of a high standard;
- 4.1.5 There is clarity on the precise nature and scope of the services requested by the Client;
- 4.1.6 There is clarity on the part of the Client on the precise nature of the service to be provided by the Quantity Surveyor;
- 4.1.7 No agreement or letter of engagement is entered into for services which a Quantity Surveyor has not a reasonable expectation to fulfil by nature of competence, ability and resources;
- 4.1.8 They neither maliciously nor carelessly do anything to injure, directly or indirectly, the reputation, prospects or business of other Quantity Surveyors;

- 4.1.9 They do not supplant or attempt to supplant another Quantity Surveyor, Partnership or Firm who or which has been awarded a contract.
- 4.1.10 Where a Quantity Surveyor requires engagement of specialist expertise to assist in discharging the agreed services, s/he shall inform and obtain consent from the Client before entering into an agreement with any such specialist;
- 4.1.11 An agreement for the provision of services and conditions of engagement should be in writing and duly signed by both parties; the terms of any such agreement shall be lawful, fair and reasonable.

4.2 Client Money

- 4.2.1 A Quantity Surveyor who receives or handles Client's money must inform the Council and provide proof that he has taken all reasonable steps to protect himself and his client from associated risks by abiding to the appropriate laws.

5. QUANTITY SURVEYING FIRMS

5.1. Ownership of Quantity Surveying firms

- 5.1.1 A Quantity Surveying office shall be under the continual, direct and personal supervision of a full time Registered Quantity Surveyor/s;
- 5.1.2 For multidisciplinary firms; the Quantity Surveying Section/Division shall be under the fulltime supervision of a Registered Quantity Surveyor who is also a Partner;
- 5.1.3 Single disciplinary Quantity Surveying practices shall be controlled by at least two thirds or more Registered Quantity Surveyors in terms of number, shareholding, directorship and voting power.
- 5.1.4 In the event a Quantity Surveying practice closes down or it is dissolved due to death, disability or for whatever reason, the Council will protect the interest of the Client and assist the Client with appointment of another Quantity Surveyor.